

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

State of Oklahoma et al,

Plaintiff,

vs.

Tyson Foods, Inc. et al

Defendant.

Case No.: 05-cv-329-GKF-SH

Proceeding: Motion to Quash hearing
(RE: ECF No. 3071)

Date: 12/4/2024

Time: 10:09 a.m. – 11:09 a.m.

MINUTE SHEET

Susan E. Huntsman, U.S. Magistrate Judge

D. Gross, Deputy Clerk

Magistrate Courtroom 1

Counsel for Plaintiff: Cynthia Solomon; Kris Koepsel; Madeline Becker – State of Oklahoma et al

Counsel for Defendant: KC Dupp's Tucker-George's Inc and George's Farms, Inc;
Colin Tucker –Cargill Inc. and Cargill Turkey Productions, LLC

Minutes: Case called for Plaintiff's Motion to Quash Subpoena Subpoenas severed on the State of OK Dept. of Agriculture, Food, and Forestry and request expedited hearing; All parties present; Motion hearing held; the remaining portion of Plaintiff's Motion to Quash (ECF No. 3071) is hereby GRANTED IN PART and DENIED IN PART as follows:

- The Court finds that the State of Oklahoma has the ability to and has actually asserted the privileges claimed on the privilege log (ECF No. 3108-1).
- The George's Defendants have agreed that, so long as the privilege log is accurate, they are not requesting the production of (1) e-mails merely transmitting court filings or letters to the defendants or (2) meeting invitations. The Court, therefore, does not rule on the privilege claimed on those documents, and they need not be produced.
- The State is ordered to review the documents attached to all e-mail claimed as privileged to confirm whether they have already been produced to Defendants. If such documents have not yet been produced, the State shall produce them on the schedule previously set by the Court. This includes (but is not limited to) the attachments to Privilege Log Entries ## 19, 20, 27, 36–41, and 43–44.
- The State is ordered to produce the second page of Privilege Log Entry #14 (OKLA_PX_PRIV_000041).
- The State has represented that it has withheld entire e-mail threads as privileged based on the top e-mail and has not produced any underlying e-mail. The State is, therefore, ordered to prepare and file a new version of the privilege log that includes the names of all persons included on the entire e-mail thread.